

REMARKS

Claims 2, 3, 6, 7, 9 and 10 are pending in this application. By this Amendment, claims 1, 4, 5 and 8 are canceled, claims 2, 3 and 10 are rewritten in independent form, and claims 6 and 9 are amended to depend from claim 2. Reconsideration of the application is respectfully requested.

The Office Action rejects claim 9 under 35 U.S.C. §112, second paragraph. Claim 9 is amended to overcome this rejection. Withdrawal of the rejection of claim 9 under 35 U.S.C. §112, second paragraph is respectfully requested.

The Office Action rejects claims 1, 2 and 4-9 under 35 U.S.C. §102(e) over U.S. Patent 6,433,818 to Steinberg et al. This rejection is moot with respect to the canceled claims 1, 4, 5 and 8, and is respectfully traversed with respect to claims 2, 6, 7 and 9.

Applicant respectfully submits that Steinberg does not disclose or suggest a digital watermarking device that adds information related to the inherent information detected by the information detection device to the electronic image information that has been generated as a digital watermark, as recited in claims 2, 6, 7 and 9.

Steinberg discloses a device in which a captured image is encrypted by an encryption process 98. See Fig. 6A and col. 5, lines 19-28. Encrypting image data merely changes the image data from one form to another. Thus, encrypting the image data does not disclose or suggest adding a digital watermark to the image data. Nowhere does Steinberg disclose or suggest adding a digital watermark to image data. Therefore, Steinberg does not disclose or suggest a digital watermarking device that adds information related to the inherent information detected by the information detection device to the electronic image information that has been generated, as a digital watermark, as recited in claims 2, 6, 7 and 9.

For at least the above reasons, Steinberg does not disclose each and every element recited in claims 2, 6, 7 and 9. Withdrawal of the rejection under 35 U.S.C. §102(e) is respectfully requested.

The Office Action rejects claims 3 and 10 under 35 U.S.C. §103(a) over Steinberg. This rejection is respectfully traversed.

Applicant respectfully submits that Steinberg does not disclose or suggest a control device that allows an image-capturing operation without requiring the information verification device to operate when the switch remains at a recording position, as recited in claim 3.

Steinberg discloses a rental camera with a time lock such that a user can use the rental camera under a permit condition such as a permitted period of time, until the permitted period of time expires. See col. 4, lines 12-33. Steinberg discloses a permit condition associated with permitted time and time expiration, but does not disclose or suggest a switch that remains at a recording position. While Steinberg's permit condition expires when the permitted time elapses, a switch that remains at the recording position is not necessarily restricted by a time duration. Therefore, Steinberg does not disclose or suggest a control device that allows an image-capturing operation without requiring the information verification device to operate when the switch remains at a recording position, as recited in claim 3.

Applicant also respectfully submits that Steinberg does not disclose or suggest a control device that allows a reproduction operation regardless of results of verification performed by the information verification device, as recited in claim 10.

As discussed above, Steinberg discloses encrypting captured image data. Steinberg discloses that the encrypted image data is available only to a person possessing a key to the encrypted image data. See col. 5, lines 25-29. Thus, Steinberg discloses a reproduction

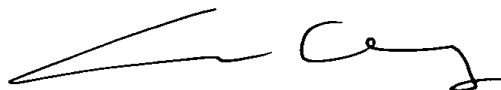
operation that relies on the results of a verification, such as a match of the key to the encrypted image data. Therefore, Steinberg does not disclose or suggest a control device that allows a reproduction operation regardless of results of verification performed by the information verification device, as recited in claim 10.

For at least the above reasons, Steinberg does not disclose or suggest the subject matter recited in claims 3 and 10. Withdrawal of the rejection of claims 3 and 10 under 35 U.S.C. §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Petition for Extension of Time

Date: January 5, 2004

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